

REMARKS

Claim Rejections

Claims 1 and 2 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Pat. No. 6,683,844 to Kuroda ("Kuroda").

Addressing claim 1, Kuroda fails to disclose or suggest that the land prepit in the embossed area has an optimized configuration according to a length of the pit or the space which is in the embossed area and which the land prepit neighbors, as set forth in the claim. Kuroda, as cited by the Examiner, discusses only the relation of the proper and falsified recording marks with respect to the embossed pit (column 7, line 51-column 8, line 20). Specifically, the proper recording marks are in synchronization with the embossed pit, and the falsified recording marks are not in synchronization with the embossed pit area.

Kuroda, however, is silent on the relation between the configuration of the land prepit in the embossed area and the length of the embossed pit or embossed space in the embossed area. Kuroda, therefore, fails to disclose or suggest the above-noted features claimed by Applicants. Thus, claim 1 is not anticipated by Kuroda and is therefore patentable over Kuroda.

Claim 2, which depends from claim 1, is patentable at least by virtue of its dependence.

Allowable Subject Matter

Applicants thank the Examiner for the indication that claims 3 and 4 contain allowable subject matter and would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claim 4 has been amended for consistency with claim 1. Applicants submit that these amendments are supported in the

specification and drawings at least, for example, at page 10 and Fig. 2. No new matter has been added.

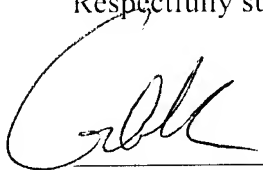
Applicants respectfully submit that since claims 3 and 4 depend from and incorporate the features of claim 1 which is patentable as established above, claims 3 and 4 are patentable at least by virtue of their dependence.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

 GRANT K. ROWAN
Reg. No. 41,278

Francis G. Plati, Sr.
Registration No. 59,153

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: April 10, 2007